

*City of Las Vegas*

**AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: SEPTEMBER 27, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: VAR-23601 - APPLICANT/OWNER: BECKER AND SONS, LLC**

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION:**      **APPROVAL**, subject to:

**Planning and Development**

1. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**Public Works**

2. The proposed directory sign shall not be located within the public right-of-way or interfere with Site Visibility Restriction Zones. The sign base shall not be located within existing or proposed public sewer or drainage easements.

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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The project is a request for a Variance to allow a directory sign face area of 48 square feet where 24 square feet is allowed and a height of nine feet where six feet is allowed for an existing commercial /industrial development on 4.80 acres at 3065 North Rancho Drive.

The proposed deviation from Title 19.14 Directory Sign standards will allow enhanced legibility for motorists entering the existing commercial/industrial park. Staff recommendation is approval.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
03/20/91	The City Council approved an application to Rezone (Z-0009-91) the subject tract from R-E (Residence Estates) and C-2 (General Commercial) to C-M (Commercial/Industrial). This action expired.
12/20/95	The City Council approved an application to Rezone (Z-0090-95) the subject tract from R-E (Residence Estates) and C-2 (General Commercial) to C-M (Commercial/Industrial). The Planning Commission and staff recommended approval on 11/30/95.
01/22/97	The City Council approved an Extension of Time [Z-0090-95(1)] to Rezone the subject tract from R-E (Residence Estates) and C-2 (General Commercial) to C-M (Commercial/Industrial).
01/25/99	The City Council approved an Extension of Time [Z-0090-95(2)] to Rezone the subject tract from R-E (Residence Estates) and C-2 (General Commercial) to C-M (Commercial/ Industrial).
07/29/99	The City Council approved a Site Development Plan Review [Z-0036-97(1) and Z-0090-95(3)] for a proposed 328,121 square foot professional plaza on the subject tract. The Planning Commission and staff recommended approval on 05/22/97.
1/27/2000	The City Council approved an Extension of Time [Z-0090-95(4)] to Rezone the subject tract from R-E (Residence Estates) and C-2 (General Commercial) to C-M (Commercial/Industrial).
09/19/01	The City Council approved an Extension of Time [Z-0090-95(5)] to Rezone the subject tract from R-E (Residence Estates) and C-2 (General Commercial) to C-M (Commercial Industrial) and an Extension of Time of the Site Development Plan Review [Z-0036-97(2)].

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<b><i>Related Building Permits/Business Licenses</i></b>	
NA	
<b><i>Pre-Application Meeting</i></b>	
07/09/07	A Pre-Application meeting was held where Planning staff advised the applicant of the requirement for a Variance.
<b><i>Neighborhood Meeting</i></b>	
NA	

<b><i>Field Check</i></b>	
08/22/07	A site visit was conducted and the project parcel is developed as a commercial/industrial park.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	4.80 acres

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Developed Commercial/Industrial	LI/R: Light Industrial/Research	C-M: Commercial/Industrial
North	Developed Commercial, Undeveloped Commercial/Industrial lot	SC: Service Commercial	C-M (Commercial/Industrial), and C-2 (General Commercial)
South	Developed Commercial/Industrial, Developed Single-family residential	L: Low Density Residential	R-1 (Single-family Residential)
East	Undeveloped Commercial/Industrial lot	LI/R: Light Industrial/Research, SC: Service Commercial	LI/R: Light Industrial/Research
West	Undeveloped Commercial/Industrial lot	O: Office	O (Office), and C-M (Commercial/Industrial)

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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>		X	NA
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>			
A-O (Airport Overlay) District	X		Y
<b>Trails</b>		X	NA
<b>Rural Preservation Overlay District</b>		X	NA
<b>Development Impact Notification Assessment</b>		X	NA
<b>Project of Regional Significance</b>		X	NA

**DEVELOPMENT STANDARDS**

The following Title 19.14 – Directory Sign standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Maximum number	One freestanding directory sign per building or per driveway whichever is greater. One attached directory sign per public entrance. Directory signs are permitted in addition to other attached or freestanding signs.	1	Y
Maximum area	24 square feet for freestanding 12 square feet for five percent of the building elevation to which it is attached, whichever is less.	48 square feet	N
Min. Setbacks	25 feet from all property lines if freestanding	50 feet	Y

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Min. Height	8 feet if freestanding	10 feet	N
Illumination permitted	Direct white light or internal illumination	Internal – Cabinet	Y
Certificate required	NO	NA	NA

## ANALYSIS

The proposed 10 foot tall directory sign will be located approximately 655 feet southwest of North Rancho Drive and 150 feet from the nearest residential property to the south. An approximately six foot tall screen wall and shade trees exist along the residential lots. Additionally, the cabinet sign will be oriented to face the southeast and includes internal illumination.

## FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.”

Additionally, Title 19.18.070L states:

“Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

The requested deviation to allow a taller sign and additional sign face area than is permitted under Title 19.14 – Directory Sign standards will not adversely affect adjacent residential uses, and will allow enhanced legibility for motorists entering the commercial/industrial park.

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**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 2

**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 398

**APPROVALS** 0

**PROTESTS** 1